

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Proposed Revisions to the MDS and)	
ITFS Regulatory Regime)	RM-10586
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To: The Wireless Telecommunications Bureau

Comments of IPWireless, Inc.

IPWireless, Inc. (“IPWireless”), by its attorneys and pursuant to the Public Notice (DA 02-2732) issued by the Wireless Telecommunications Bureau on October 17, 2002, hereby submits its initial comments in response to the October 7, 2002 white paper entitled “A Proposal for Revising the MDS and ITFS Regulatory Regime” (“White Paper”) jointly submitted by the Wireless Communications Association International, Inc., the National ITFS Association and the Catholic Television Network (jointly, the “proponents”).

IPWireless supports the proposed reform of the MDS and ITFS rules as described in the White Paper. IPWireless is a vendor of equipment for the MMDS/ITFS band. IPWireless also owns MMDS spectrum and leases ITFS spectrum. IPWireless has first-hand experience in obtaining spectrum rights and commencing deployment of advanced 2-way services in the MMDS/ITFS band under the current licensing scheme. Given that experience, we understand fully the need to streamline and modernize the regulations to permit the more efficient use of this valuable band for a variety of useful 2-way applications. IPWireless has been an active

participant in the WCA Engineering Committee Technical Rules Revision Task Group, which advised the WCA Government Relations Committee on many of the technical aspects of the White Paper.

IPWireless believes that the White Paper describes a new regulatory regime which, if adopted by the Commission substantially as proposed, will facilitate deployment of innovative equipment and applications which will benefit consumers and the US economy by providing untethered access to information and services from fixed, portable and mobile devices. In fact, these very capabilities are available today in next-generation equipment that has been deployed in the 2.5 GHz spectrum in several smaller markets where the implications of the current regulations are not so stifling, and the response from consumers and operators has been very positive. The benefits to be experienced under the proposed regulations are due in large measure to the following:

- flexibility of the UBS and LBS spectrum for TDD and FDD technology,
- de-interleaving of the channel blocks,
- replacement of antiquated interference protection requirements based on decades-old analog technology,
- resolution of PSA border protection issues,
- equipment certification rules aligned with the PCS, cellular and the new 700 MHz band rules,¹ and
- the removal of substantial deployment uncertainties resulting from the previous

MMDS/ITFS 2-way rulemakings.

¹ The issue of the appropriate base station emission mask has not been resolved and is not part of the rules proposed in the White Paper. IPWireless reserves the right to comment on this and similar technical issues when proposals are finalized.


These proposed rules also should reduce the paperwork and oversight burden on the FCC staff, since the proposed rules require fewer filings and provide the means for operators to resolve disputes in a fair and timely manner.

IPWireless supports the regulatory reform proposed in the White Paper, because the proposed rules are well-suited to facilitating the delivery of advanced two-way fixed, mobile and portable wireless services to the American public in a timely and efficient manner. Our support is based on the assumption that the Commission will adopt the proposed rules without substantial changes, and in particular, without materially diminishing the flexibility inherent in the proposed rules to use the spectrum to offer advanced two-way portable and mobile broadband services using TDD technology. IPWireless intends to review comments submitted by other parties in response to the Public Notice and to submit additional views as may be appropriate.

WHEREFORE, IPWireless respectfully urges the Commission to adopt the revised regulatory regime for MDS and ITFS described in the White Paper.

Respectfully submitted,

IPWireless, Inc.

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